

**JEROME COUNTY PLANNING AND ZONING COMMISSION MINUTES
AUGUST 31, 2020
THE JACK NELSEN CONFERENCE ROOM, JEROME COUNTY COURT HOUSE**

CALL TO ORDER

Chairman: Larrey Anderson, Chairman
Present: Larrey Anderson, Oscar Carranza, Tanner Johns, Arlen Morgan, and Brett Thompson
Absent Member(s): Trish Heath
Staff Attendees: Nancy Marshall, Administrator and Kacie Buhler, Assistant Administrator

BUSINESS MEETING

Chairman Larrey Anderson called the meeting to order at 7:01 p.m. The Commission approved the minutes of the July 27, 2020 meeting.

M/S/C Brett Thompson made a motion to accept the July 27th minutes as written. Arlen Morgan seconded the motion. Motion carried unanimously.

Arlen Morgan stated the meeting for the Mid Snake River Water Resource Commission meeting was cancelled this month. Mr. Morgan discussed information from a past meeting regarding compost.

Ms. Marshall reviewed the completed items on the Legislative Action List. Ms. Marshall reported the progress being made by the Committee on the Recreation Zone. She stated that as the Committee moves forward, more areas and chapters are affected. Ms. Marshall explained that updates to the Appendix in the Comprehensive Plan are being held off until after the 2020 Census as that will extensively change the statistics.

7:15 HEARING– TONYA JEPSON (JACOB) REQUEST FOR A ZONING MAP AMENDMENT TO REZONE FROM (A1) AGRICULTURE TO (A2) RURAL RESIDENTIAL

Tonya Jepson was sworn in and introduced the Application for a Zoning Map Amendment from (A1) Agriculture to (A2) Rural Residential. Ms. Jepson explained that their property is five acres and they would like to divide the property into two, two and a half acre parcels. They would like to keep one of the parcels with their existing home and sale the other parcel with a buildable right. She discussed being able to access the second parcel off of the 400 West Road. She said that five acres is not much land to farm and that the property is not currently being farmed. Ms. Jepson discussed public agencies ability to service the second parcel. Brett Thompson asked Ms. Jepson about spot zoning and stated that the property is over two miles away from the nearest A-2 Zone. Ms. Jepson discussed the housing density and being compatible with the area. Ms. Jepson answered further questions from the Commission regarding current housing density and development plans.

Nancy Marshall explained to the Commission that this Application is for a rezone and that regardless of what the applicant's plans are for development, rezoning would allow all of the uses in the A2 Zone unless a Development Agreement is requested. Ms. Marshall presented the Staff Report. She explained what the previous Administrator would refer to as "Wildcat Subdivisions". She showed Exhibit S12 and discussed the close proximity of the Livestock Confinement Operations. She also discussed the points that the Comprehensive Plan has that would pertain to this application. She reviewed the merits of the Application and the presentation of the Applicant. Ms. Marshall explained how spot zoning may apply to the Application. Tanner Johns asked what the size of the surrounding parcels are. Brett Thompson asked when the Ordinance changed that would no longer allow a Land Division in the A-1 zone. Ms.

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Marshall explained that up until about 2006 there were various changes that would allow different residential densities or Land Divisions. The Commissioners asked questions on why there were many small parcels in that area and the time frame that those were created. Ms. Marshall stated that it's possible that those were created before 2006 and that this parcel has been the same since 1981. Oscar Carranza asked Ms. Marshall to clarify that if the property was rezoned if it would be possible to divide the parcel into five parcels. Ms. Marshall answered yes, it is a five-acre parcel and the minimum acreage is one.

Tonya Jepson returned for rebuttal and asked if there could be an agreement that would only allow the property to be divided into two parcels. Ms. Marshall stated that Chapter 21 explains Development Agreements and it could be utilized for something like this. Chairman Larrey Anderson stated there was no one in support or opposition as there was no audience and closed the hearing.

DISCUSSION & DECISION

The Commission discussed the Application. Arlen Morgan stated that he was torn on this Application. He said they have a cattle operation with houses close by and the residents complain about the operation. He stated on the other hand our county is restrictive when it comes to housing and these are basically subdivisions. Tanner Johns and Larrey Anderson agreed with Mr. Morgan and stated this is a subdivision. Oscar Carranza stated that it looks like a subdivision but in reality, it is not. He stated that if they allow the zone change, they would be allowing the possibility of divisions and by doing so, they are not following the plan. Tanner Johns stated that he looks at what is there and if it is compatible. Brett Thompson disagreed with rezoning from A1 to A2 and further discussed the value behind having the five-acre parcel. Arlen Morgan stated that the LCOs could not expand due to the current residential density and adding a house but that in allowing the rezone would set a precedent.

M/S/C Tanner Johns made a motion to recommend to the Board of County Commissioners to approve the proposed Zoning Map Amendment to rezone the property duly advertised for this hearing from (A1) Agriculture to (A2) Rural Residential. Arlen Morgan seconded the motion. Arlen Morgan and Tanner Johns voted in favor of the motion. Brett Thompson and Oscar Carranza voted in opposition of the motion. Larrey Anderson voted to break the tie and was in favor of the motion. Motion carried with a vote of three (3) ayes and two (2) no.

Recess 8:03

Reconvene 8:10

RECOMMENDATION PAGE

Larrey Anderson re-opened the meeting for the Commission to review the Recommendation Page.

M/S/C Tanner Johns made a motion to approve the Recommendation Page as written. Arlen Morgan seconded the motion. Motion carried unanimously.

ADJOURN

M/S/C Brett Thompson made a motion to adjourn. Arlen Morgan seconded the motion. Motion carried unanimously.

The meeting was adjourned at 8:16 p.m.

Respectfully Submitted,

Kacie Buhler, Clerk

ATTESTED BY:

Chairman

DRAFT